



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-सा.-30042024-253934
CG-DL-W-30042024-253934

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY
साप्ताहिक
WEEKLY

सं. 11] नई दिल्ली, अप्रैल 21—अप्रैल 27, 2024, शनिवार/वैशाख 1—वैशाख 7, 1946
No. 11] NEW DELHI, APRIL 21—APRIL 27, 2024, SATURDAY/VAISAKHA 1—VAISAKHA 7, 1946

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (iii)
PART II—Section 3—Sub-section (iii)

केन्द्रीय अधिकारियों (संघ राज्यक्षेत्र प्रशासनों को छोड़कर) द्वारा जारी किए गए साधारण आदेश और अधिसूचनाएं
Orders and Notifications issued by the Central Authorities (Other than the Administrations of Union Territories)

भारत निर्वाचन आयोग

अधिसूचना

नई दिल्ली, 23 अप्रैल, 2024

आ.अ. 74.—लोक प्रतिनिधित्व अधिनियम 1951 (1951 की 43) की धारा 106 के अनुसरण में, निर्वाचन आयोग हरियाणा राज्य से राज्यसभा के सदस्य के रूप में श्री कार्तिक शर्मा के निर्वाचन को प्रश्नांकित करने वाली '2022 की निर्वाचन याचिका सं. 9, अजय माकन बनाम कार्तिक शर्मा एवं अन्य' में पंजाब एवं हरियाणा उच्च न्यायालय के दिनांक 15 मार्च, 2024 के आदेश को एतद्वारा प्रकाशित करता है।

[फा. सं. 82/रा.स- हरि./9/22/2024-बीई]

आदेश से,

सुमन कुमार दास, सचिव

ELECTION COMMISSION OF INDIA**NOTIFICATION**

New Delhi, the 23rd April, 2024

O.N. 74.—In pursuance of Section 106 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby publishes the order dated 15.03.2024 of the High Court of Punjab and Haryana in 'Election Petition No. 9 of 2020, Ajay Makan vs Kartik Sharma and Others', calling in question the election of Shri Kartik Sharma as Member of the Council of States from the State of Haryana.

[F. No. 82/CS-HR/9/22/2024-BE]

By Order,

SUMAN KUMAR DAS, Secy.

IN THE HIGH COURT OF PUNJAB AND HARYANA**AT CHANDIGARH**

2024:PHHC:037582 CM-I-E-2024in/and EP-9-2022
(O&M)

Date of Decision: 15.03.2024

Ajay Makan

...Petitioner

Vs.

Kartik Sharma and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Mr. Partap Singh, Advocate with
Mr. Kamal Mor, Advocate and
Mr. Gourav Jangra, Advocate for the petitioner.
Mr. Satya Pal Jain, Sr. Advocate with
Mr. Dheeraj Jain, Advocate and
Mr. Sahil Garg, Advocate for respondent No. 1.
Ms. Nidhi Sharma, Advocate for respondent No. 2.

SANJEEV PRAKASH SHARMA. J.(Oral)**CM-1-E-2024**

1. Application for withdrawal of the election petition in terms of Section 109 of the Representation of People Act, 1951, has been filed.
2. It is informed that as the petitioner has been elected as a Member of Rajya Sabha from the State of Karnataka, for which, election were held on 27.02.2024, he does not wish to pursue the present petition. The respondents have no objection.
3. In view of the above, the application is disposed of and the election petition is accordingly permitted to be withdrawn. The said information regarding withdrawal of the election petition shall be published in the official gazette for information of general public.

EP-9-2022 (O&M)

2024:PHHC:037582

[2]

EP-9-2022 (O&M)

4. Dismissed as withdrawn. Registry is directed to get published the information regarding withdrawal of the election petition, in the official gazette.
5. All pending misc. application(s) also stand disposed of.

-Sd-

SANJEEV PRAKASH SHARMA, Judge

15.03.2024

अधिसूचना

नई दिल्ली, 23 अप्रैल, 2024

आ.अ. 75.—लोक प्रतिनिधित्व अधिनियम, 1951 (1951 का 43) की धारा 106 के अनुसरण में, भारत निर्वाचन आयोग वर्ष 2019 की निर्वाचन याचिका संख्या 07 में माननीय उच्च न्यायालय, इलाहाबाद के दिनांक 8 फरवरी, 2024 के निर्णय (दिनांक 27 फरवरी, 2024 के न्यायालय के आदेश के साथ पठित) को एतद्वारा प्रकाशित करता है।

[फा. सं. 82/उ.प्र.-लो.स./07/2019 (इला.)]

आदेश से,

पवन दीवान, सचिव

NOTIFICATION

New Delhi, the 23rd April, 2024

O.N. 75.—In pursuance of Section 106 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission of India hereby publishes the Judgement dated 8th February, 2024 (Read with the Court's Order dated 27th February, 2024) of the Hon'ble High Court of Judicature at Allahabad in Election Petition No. 07 of 2019.

[F. No. 82/UP-HP/07/2019(Alld.)]

By Order,

PAWAN DIWAN, Secy.

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD**ELECTION PETITION NO. 7 OF 2019**

(Under Sections 80, 80-A/81 of the Representation of People Act, 1951)

DISTRICT : JAUNPUR

Tribhuwan Ram (T. Ram) S/o Shri K.B. Ram,
R/o 3/139, Vivek Khand-3, Gomti Nagar,
District Lucknow.

... .. ELECTION PETITIONER

Versus

1. Bhola Nath (B.P. Saroj) S/o Late Pancham,
R/o Village Maderdih, Post Raipur,
District Jaunpur.
2. Dr. Amarnath Paswan S/o Ram Ker,
R/o Village & Post Patepur,
District Ghazipur.
3. Garib S/o Ram Lautan,
R/o Village Raghoram Patti Post- Rampur,
Madhiyahu, District Jaunpur.

4. Chanchal Kumar S/o Raja Ram,
R/o Village Shivpur, Post Belvan,
Madhiyahu, District Jaunpur.
5. Jitendra S/o Fakir,
R/o Village & Post Kanuwani, Kerakat,
District Jaunpur.
6. Dasharath S/o Kanhaiya- Kanhai,
R/o Village & Post Tewar, Cholapur,
District – Varanasi.
7. Deepchand Ram @ B.D.O. Sahab S/o Birju Ram,
R/o Village- Vishesharpur, Sadar,
Chaukiya, District Jaunpur.
8. Nand Lal S/o Late Chhotey Lal,
R/o Village Sehra, Post Bhiura,
Madhiyahu, District – Jaunpur.
9. Brijesh Kumar S/o Ram Dayal,
R/o Village – Tajuddinpur, Post Sujauli,
Kunda District – Pratapgarh.
10. Rajkeshar S/o Late Deonath
R/o Village Tadtalla, Post Jafarabad,
District Jaunpur.
11. Raj Nath S/o Kashi,
R/o village- Bodri, Post Chandwak,
District- Jaunpur.
12. Ram Naresh S/o Lalji Ram,
R/o Village Medhiya, Post Chunar,
District Mirzapur.
13. Ganga Ram S/o Somaru,
R/o Village Vijnawar Sarang, Post Muftiganj,
District Jaunpur.
14. Deepak Kumar S/o Shyam Lal,
Village & Post Taraw, Kerakat,
District Jaunpur.

... .. RESPONDENTS

In Chamber

Case :- ELECTION PETITION No. - 7 of 2019

Petitioner :- Tribhuwan Ram (T. Ram)

Respondent :- Bhola Nath (B.P. Saroj) And 13 Others

Counsel for Petitioner :- In Person, Narendra Kumar Pandey, Tribhuwan Ram(In Person)

Counsel for Respondent :- Kamlesh Kumar Nishad, Anil Tiwari, K.R. Singh, Kamlesh Kumar Nishad, Manoj Kumar, Rajendra Kumar Singh, RamBhawan, Sanjay Kumar Singh

Hon'ble Mahesh Chandra Tripathi, J.

The correction application is allowed.

In sixth line of fourth paragraph of the order dated 08.02.2024, the word/date "30.02.2024" shall stand substituted by the word/date "03.02.2024".

This order shall be treated as part of the order dated 08.02.2024. A certified copy of this order shall be issued along with copy of order dated 08.02.2024.

Order Date :- 27.2.2024

RKP

Neutral Citation No. - 2024:AHC:22993

Court No. - 42

Case :- ELECTION PETITION No. - 7 of 2019

Petitioner :- Tribhuwan Ram (T. Ram)

Respondent :- Bhola Nath (B.P. Saroj) And 13 Others

Counsel for Petitioner :- In Person, Narendra Kumar Pandey,

Tribhuwan Ram (In Person)

Counsel for Respondent :- Kamlesh Kumar Nishad, Anil Tiwari, K.R. Singh, Kamlesh Kumar Nishad, Manoj Kumar, Rajendra Kumar Singh, Ram Bhawan, Sanjay Kumar Singh

Hon'ble Mahesh Chandra Tripathi, J.

(Civil Misc. Application No. 16 of 2024 filed on behalf of Tribhuwan Ram-applicant/election petitioner)

1. Heard Sri N.K. Pandey and Ms. Divya Shukla, learned counsel for the applicant/election petitioner and Sri Bharat Singh Pal, Advocate holding brief of Sri K.R. Singh, learned counsel for the first respondent.
2. This application had been filed by the applicant/petitioner with request to permit the petitioner to withdrawn the present election petition on the ground that with the changed political circumstances and scenario, the petitioner does not wish to pursue the election petition any further and the same may be dismissed as withdrawn. The said decision had been taken by the petitioner without any pressure or coercion upon him.
3. The matter was taken up on 19.1.2024 and on the said date, the Court had proceeded to pass following order:-
"1. Heard Sri N.K. Pandey, learned counsel for the applicant/petitioner and Sri K.R. Singh, learned counsel for the first respondent.
2. Civil Misc. Application u/s 109, 110 OF Representation of People Act, 1951 has been filed by the applicant/petitioner with a request to permit the petitioner to withdraw the present election petition on the basis of averments contained in paragraph 9 and 10 of the application.
3. I have heard both the parties and perused the record.
4. Looking into the provisions contained under Sections 109 and 110 of Representation of People Act, since the application for withdrawal is made for this Election Petition for seeking leave of this court, therefore, it is necessary that notice of this withdrawal application be given to the parties and be published in the Official Gazette. In the present matter in spite of notice only the first respondent is contesting and Sri K.R. Singh, learned counsel who is representing the first respondent has no objection in case the withdrawal application is allowed. Accordingly, the petitioner is directed to take steps within five days and the office is also directed to ensure that notice of publication be supplied to Sri N.K. Pandey, learned counsel for the petitioner by 23.2.2024 so that the publication may be done up to 7.2.2024.
5. Put up this matter on 8.2.2024 at 3.30 P.M."
4. On the matter being taken up today, Sri N.K. Pandey, learned counsel for the petitioner has filed an application supported by the affidavit of the petitioner dated 07.02.2024 indicating therein that pursuant to the aforesaid order dated 19.01.2024, the notice of the withdrawal of the election petition was published in the official Gazette of the State of Uttar Pradesh on 30.02.2024 and the relevant extract of the official Gazette has been brought on record as Annexure No.1 to the affidavit. The affidavit filed today is taken on record.
5. Sri N.K. Pandey, learned counsel for the petitioner in this backdrop submits that copy of the notice of the withdrawal of the election petition has already been served upon learned counsel for the returned candidate. He further submits that pursuant to the aforesaid order, he has also taken steps on 23.01.2024 for service upon the respondent Nos. 2 to 13 and the petitioner has complied with the conditions required for withdrawal of the election

petition. It is, therefore, requested that in the interest of justice, this Court may dismiss the Election Petition No. 07 of 2019 as withdrawn.

6. Learned counsel for the first respondent has no objection, in case the election petition is permitted to be withdrawn.

7. In compliance of the aforesaid order, the notice was issued to the respondent Nos. 2 to 13 and as per office report dated 08.02.2024, the notices are deemed to be sufficient upon the respondent Nos. 2 to 13. Further, the publication was also made in the official Gazette of Uttar Pradesh on 03.02.2024 and therefore, I do not find any reason not to permit the present election petition as dismissed as withdrawn.

8. Accordingly, the withdrawal application is allowed and the present election petition is dismissed as withdrawn.

-Sd-

MAHESH CHANDRA TRIPATHI, J.

Order Date :- 8.2.2024

RKP